

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

IN RE: Christine Ginn  
Whitefish, MT 59937

MC 24-8-M-DWM

ORDER

It is the policy of the United States that all litigants in Federal courts entitled to trial by jury shall have the right to grand and petit juries selected at random from a fair cross section of the community in the district or division wherein the court convenes. It is further the policy of the United States that all citizens shall have the opportunity to be considered for service on grand and petit juries in the district courts of the United States, and shall have an obligation to serve as jurors when summoned for that purpose.

28 U.S.C. § 1861.

“The trial by jury is justly dear to the American people. It has always been an object of deep interest and solicitude, and every encroachment upon it has been watched with great jealousy.” *Parsons v. Bedford, Breedlove & Robeson*, 28 U.S. 433, 446 (1830). Title 28, Section 1866(g) provides that any person summoned for jury service who fails to appear as directed may be ordered to appear and show cause for failing to comply with the summons. “Any person who fails to show good cause for noncompliance with a summons may be fined not more than \$1,000, imprisoned not more than three days, ordered to perform community

service, or any combination thereof.” Section 1866 is “not a criminal statute, but it does provide quasi-criminal sanctions for jurors who fail to meet their burden to show cause for shirking their duty to serve on a jury when called.” *In re Enke*, 2012 WL 1899436, \*5 (N.D. Ill. May 23, 2012).

Christine Ginn was summoned for on-call jury duty for the month of June 2024. She was directed to respond online to the jury summons and to call the Automated Jury Information Systems line (“AJIS”) on Thursdays during the month of June to obtain reporting instructions. On May 23, 2024, Ginn logged onto the Court’s eJuror program and completed her summons for jury service. On June 20, 2024, AJIS line sent an automated telephone recording, a text message, and an email to Ginn, informing her that she was selected to report for jury duty on Monday, June 24, 2024. Ginn failed to report as directed. On June 27, 2024, the Jury Administrator mailed Ginn a certified letter requesting a written explanation for why she did not appear for jury service with a response deadline of July 10, 2024. USPS tracking shows that USPS attempted to serve the letter and that the certified letter remains unclaimed. On July 19, 2024, the jury administrator emailed Ginn and received no response. On August 8, 2024, Ginn was ordered to appear and show cause for her failure to appear for jury duty. (Doc. 1.). That summons was personally served by the United States Marshal’s Service. On August 28, 2024, Ginn wrote a letter to the Court, attaching an email she sent to

“dctrials@missoulacounty.us” on June 23, 2024. In that email, Ginn requested a dismissal from her summons because (1) she was not able to leave work at the time, (2) her husband’s liver disease required her to be home, and (3) her vehicle would “not make it that far.” (Doc. 4.) The recipient email address is not the email address for the jury clerk of the United States District Court for the District of Montana.

A hearing was held on September 9, 2024. Ginn was informed of her right to counsel but elected to proceed pro se. In response to the Court’s recitation of the factual record, Ginn admitted that she did not comply with the jury summons’ directions to appear on June 24, 2024. She stated that she never received the jury summons, any notices of certified mail, or subsequent communications from the Court beyond an initial postcard. This is belied by her letter dated August 28, 2024, in which she acknowledged that she received the jury summons forms, which directed her to complete the eJuror survey online. Because Ginn has failed to establish good cause for her absence from jury service on June 24, 2024, sanctions are appropriate.

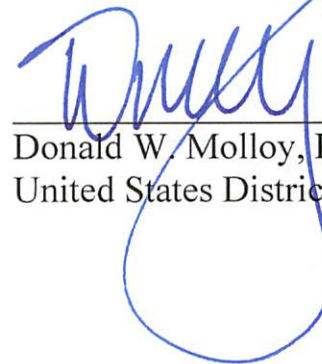
Accordingly, IT IS ORDERED that:

(1) The Clerk of Court is directed to place Ginn back in the active jury pool for 2024–2025.

(2) Ginn must pay a \$167.50 fine within two weeks of the date of this Order. That payment may be submitted by check or money order to the Clerk, United States District Court, PO Box 8537, Missoula, MT 59807.

(3) Ginn must perform 20 hours of community service, to be completed within two months at a rate of not less than 10 hours per month. At the conclusion of her community service, Ginn must provide a statement from the person or entity for whom the community service was accomplished, which includes (i) the type of community service performed; (ii) what was accomplished by the community service provided, and (iii) an acknowledgement that at least 20 hours of community service was completed. The statement shall be sent to the Clerk, United States District Court, PO Box 8537, Missoula, MT 59807.

Dated this 10<sup>th</sup> day of September, 2024.



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Donald W. Molloy, District Judge  
United States District Court